IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(C).No. 1952 of 2007(G)

PETITIONER:

THANKA,D/O.UNNIKUTTY,
CHOLAKKAL HOUSE, PO PAYYANAD,
MALAPPURAM DISTRICT.

BY ADV. SRI.P.CHANDRASEKHAR

RESPONDENTS:

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1. THE DISTRICT COLLECTOR, MALAPPURAM.

2. THE ADDITONAL DISTRICT MAGISTRATE,
MALAPPURAM.

3. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, MANJERI SOUTH,
MALAPPURAM DISTRICT.

4. C.SREEDHARAN S/O.AYYAPPAN,
CHOLAKKAL HOUSE, PO PAYYANAD,
MALAPPURAM DISTRICT.

R1&2 BY G.P.
R3 BY ADV. SRI.JOSE J.MATHEIKEL, SC, KSEB
R4 BY ADV. SRI.K.M.SATHYANATHA MENON

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF TITLE DEED DT.14.6.2005 IN FAVOUR OF THE PETITIONER.

P2: TRUE COPY OF POSSESSION CERTIFICATE DT.8.8.2006 ISSUED TO THE PETITIONER BY VILLAGE OFFICER, PAYYANAD.

P3: TRUE COPY OF LETTER DT.18.9.2006 OF MANJERI MUNICIPALITY TO THE PETITIONER.

P4: TRUE COPY OF APPLICATION DT.30.6.2005 OF R3 TO R2.

P5: TRUE COPY OF WRITTEN OBJECTION DT.16.11.2005 SUBMITTED BEFORE R2 BY PETITIONER.

P6: TRUE COPY OF REPLY DT.31.3.2006 OF R3 SUBMITTED BEFORE R2.

P7: TRUE COPY OF LETTER OF TAHSILDAR, ERNAD TO R1.

P8: TRUE COPY OF PETITION DT.30.11.2006 OF THE PETITIONER TO THE HON'BLE CHIEF MINISTER.

P9: TRUE COPY OF LETTER DT.18.12.2006 RECEIVED BY PETITIONER FROM THE PRIVATE SECRETARY OF THE HON'BLE MINISTER FOR REVENUE.

P10: TRUE COPY OF ORDER DT.3.1.2007 OF R2.

RESPONDENT'S EXHIBITS:

R3(a): TRUE COPY OF ROUGH SKETCH.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.1952 of 2007

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Dated this the 8th day of June, 2007.

JUDGMENT

Heard counsel for the petitioner, Standing Counsel for KSEB and counsel for 4th respondent. Even though drawal of line is opposed by the petitioner, it is only a weatherproof line which is insulated cable which can cause no damage or injury. Since the line is passing through the middle of the property, I feel it should be shifted to the boundary of the property as the total length is only 10 metres of weatherproof line. In the circumstances, third respondent is directed to give connection to the beneficiary by drawing weatherproof cable over the boundary of the petitioner's property.

W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms